



April 18, 2012

VIA U.S. MAIL ONLY

Honorable Eric K. Shinseki
Secretary of Veterans Affairs
Department of Veteran Affairs
810 Vermont Ave, N.W.
Washington,DC 20420

VIA ELECTRONIC MAIL ONLY

Leslie Wiggins
Deputy Assistant Secretary
Office of Labor and Management Relations
Department of Veteran Affairs
810 Vermont Ave, N.W.
Washington,DC 20420
Leslie.wiggins2@va.gov

Denise Biaggi-Ayer
Labor Relations Consultant
Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, D.C. 20420
denise.biaggi-ayer@va.gov

Re: National Grievance – Firefighter Staffing Levels

Dear Secretary Shinseki, Ms. Wiggins, and Ms. Biaggi-Ayer:

In accordance with Article 44 Section 12 of the negotiated Master Agreement between the National Association of Government Employees (“NAGE”) and the U.S. Department of Veterans Affairs (“Agency”), a national grievance is being filed on behalf of the firefighters NAGE represents at the Butler, PA, Coatesville, PA, and Martinsburg, WV facilities and any other facility where NAGE represents firefighters, regarding the following subject matter:

In violation of the Master Agreement, Article 48, Sections 1, 3(A), and 4(B), and 6, the National Technology Transfer and Advancement Act of 1995, 15 U.S.C. 272, the National Fire Protection Association Standards 1500 and 1710, and any other law, rule or regulation that may apply, the Agency has failed to maintain adequate staffing levels for firefighters. (*See also, Department of Veterans Affairs and AFGF Local 387, 66 FLRA 10 (2011)*). The above-

referenced law, rules, and regulations require a minimum of four (4) firefighters in career fire departments and that fire departments follow the two-in and two-out rule which requires a minimum of four (4) firefighters to be present at structural fires. The Agency has not met these requirements at the above-referenced facilities, putting the safety of the firefighters, employees, veterans, and public at risk.

In informal discussions with Leslie Wiggins and Douglas Katcher, NAGE has requested that the Agency increase the staffing levels to meet the minimum requirements in order to protect the safety and welfare of the firefighters represented by NAGE. On or about March 5, 2012, NAGE National Representative Mark Bailey was informed that the Agency would not increase staffing levels and would not implement the decision in 66 FLRA 10 at other fire departments. NAGE considers the Agency's failure to meet the firefighter staffing requirements a continuing violation of the Master Agreement and applicable law, rules, and regulations.

In closing it is NAGE's belief that the minimum staffing levels for firefighters be adhered to in order to provide a safe and healthy work environment for the employees NAGE represents and who provide care to veterans at these facilities.

NAGE requests the following relief:

Increase staffing levels to a minimum of four (4) firefighters per shift at each facility listed in this grievance and any other facility where firefighters represented by NAGE may be located and all other relief deemed appropriate.

NAGE respectfully requests a response in accordance with Article 44 Section 12 (b) of the Master Agreement. Please contact Sarah Suszczyk, Federal Deputy Director, NAGE Federal Division, 703-519-0300, ssuszczyk@nage.org, to set up a mutually agreeable date and time to discuss resolving this grievance.

Sincerely,



Sarah Suszczyk
Federal Deputy Director